

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

FITNESSEXPERTS LLC,

Plaintiff,

v.

Civ. No. 23-441 DLM/GJF

FITNESSEXPERTS LLC and
SAMUEL DELENE RICHARD MORGAN,

Defendants.

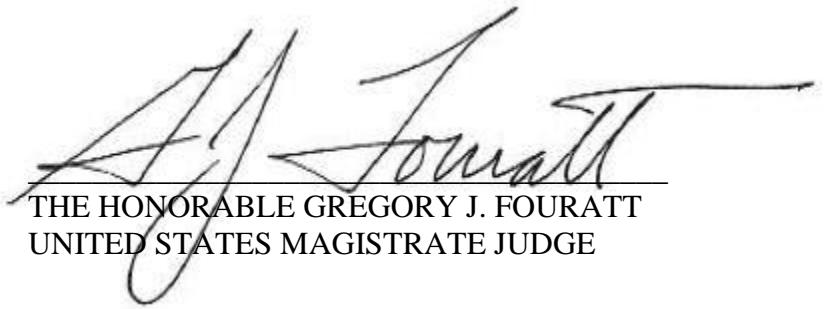
ORDER TO SHOW CAUSE

This matter comes before the Court *sua sponte*. On August 1, 2023, Defendant Morgan filed an Answer ostensibly on behalf of both himself and Defendant FitnessExperts LLC. ECF 8. In the Answer, Mr. Morgan admits to being the owner of FitnessExperts LLC in New Mexico. *Id.* At ¶ 7. Mr. Morgan appears to have completed the Answer himself and does not represent that he is an attorney.

For its part, Defendant FitnessExperts LLC is not a natural person and this district's Local Rules require an entity other than a natural person to be represented by an attorney. D.N.M.LR-Civ. 83.7; *see also Harrison v. Wahatoyas, LLC*, 253 F.3d 552, 556-57 (10th Cir. 2001) ("[A] corporation or other business entity can only appear in court through an attorney and not through a non-attorney corporate officer appearing *pro se*." (citation omitted). "Absent entry of appearance by [an] attorney, any filings made by the corporation, partnership or business entity other than a natural person may be stricken and default judgment or other sanctions imposed." D.N.M.LR-Civ. 83.8(c). Accordingly, Defendant FitnessExperts LLC must have a licensed attorney enter an appearance in this case on its behalf, or any filings made by Defendant FitnessExperts LLC may be stricken and default judgment or other sanctions imposed.

IT IS THEREFORE ORDERED that **no later than September 28, 2023**, Defendant FitnessExperts LLC must file a notice of appearance of counsel or its filings will be stricken and default judgment entered or other sanctions imposed.

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE